

REMARKS

This application has been reviewed in light of the Office Action dated October 14, 2009. Claims 1-4, 9-17 and 19-23 are presented for examination, of which Claim 1 is in independent form. Claims 41-61 have been withdrawn from consideration by the Examiner. Claim 18 has been cancelled, without prejudice or disclaimer of the subject matter presented therein. Claim 1 has been amended to define Applicants' invention more clearly. Favorable reconsideration is requested.

The Office Action states that Claims 1-4, 9-23 and 41-45 [*sic*] are rejected under § 103(a) as being unpatentable over U.S. Patent No. 6,173,269 (Solokl et al.), in view of U.S. Patent No. 6,892,184 (Komem et al.). Applicants again note that Claims 41-51 were withdrawn from consideration by the Examiner and Claims 41-45 are not discussed in the rejection. Applicants submit that independent Claim 1, together with the claims dependent thereon, are patentably distinct from the cited prior art for at least the following reasons.

As understood by Applicants, Solokl et al. relates to a method for executing electronic commercial transactions with minors. The Office Action states that Solokl et al. discloses accommodating an emergency transaction account. See Office Action, p. 8. Applicants respectfully disagrees. The Office Action cites column 9, lines 25-30 for disclosing this feature. This section of Solokl et al. merely discloses providing a teen with immediate access to favorite sites, press releases and promotions. However, there is no indication in this section, or anywhere else in Solokl et al., that accommodations are made for emergency transactions. Having immediate access to websites, press releases and promotions does not constitute an emergency transaction. On the contrary, the majority of the disclosure describes performing the method in Solokl et al. on an online system, where an emergency transaction is

unlikely to occur. Accordingly, Solokl et al. does not teach or suggest accommodating an emergency transaction in accordance with predefined criteria by allowing a subsidiary account to exceed its defined spending capacity, as recited in independent Claim 1.

Komem et al. is not understood by Applicants to remedy the above-noted deficiency of Solokl et al. Komem et al., as understood by Applicants, discloses a system and method for multiple currency transactions. The system and method allow for online hedging of currency transaction performed in order to reduce the risk involved with predetermination of prices. Komem et al., however, does not teach or suggest accommodating an emergency transaction in accordance with predefined criteria by allowing a subsidiary account to exceed its defined spending capacity, as recited in independent Claim 1.

Accordingly, Applicants submit that Claim 1 is patentable over the cited art, and respectfully request withdrawal of the rejection under 35 U.S.C. § 103(a).

The other rejected claims in this application depend from one or another of the independent claims discussed above and, therefore, are submitted to be patentable for at least the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, individual consideration or reconsideration, as the case may be, of the patentability of each claim on its own merits is respectfully requested.

This Amendment After Final Action is believed clearly to place the present application in condition for allowance. Therefore, entry of this Amendment under 37 C.F.R. § 1.116 is believed proper and is respectfully requested, as an earnest effort to advance prosecution and reduce the number of issues. Should the Examiner believe that issues remain outstanding, it is respectfully requested that the Examiner contact Applicants' undersigned attorney in an effort to resolve such issues and advance the case to issue.

In view of the foregoing amendments and remarks, Applicants respectfully request favorable reconsideration and early passage to issue of the present application.

No petition to extend the time for response to the Office Action is deemed necessary for this Amendment. If, however, such a petition is required to make this Amendment timely filed, then this paper should be considered such a petition and the Commissioner is authorized to charge the requisite petition fee to Deposit Account 50-3939.

Applicants' undersigned attorney may be reached in our Washington, D.C. Office by telephone at (202) 530-1010. All correspondence should continue to be directed to our address listed below.

Respectfully submitted,

/Mark A. Williamson/

Mark A. Williamson
Attorney for Applicants
Registration No. 33,628

FITZPATRICK, CELLA, HARPER & SCINTO
1290 Avenue of the Americas
New York, New York 10104-3800
Facsimile: (212) 218-2200

MAW/MW

FCHS_WS 4250492_1.DOC